



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Seventieth session**

Summary record of the 1616th meeting

Held at the Palais des Nations, Geneva, on Thursday, 12 July 2018, at 10 a.m.

Chair: Ms. Leinarte

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Eighth periodic report of New Zealand (CEDAW/C/NZL/8; CEDAW/C/NZL/Q/8 and CEDAW/C/NZL/Q/8/Add.1)

1. *At the invitation of the Chair, the delegation of New Zealand took places at the Committee table.*
2. **Ms. Logie** (New Zealand) said that New Zealand was a proudly multicultural society and home to over 200 ethnic groups. While the country had a strong history of protecting women's rights, the Government was aware that much remained to be done to build an inclusive and fair society for all New Zealand women and girls. The general elections in September 2017 had marked a change in direction that was reflected in the priorities for women set out by the new coalition Government, which included improving well-being, reducing poverty, reforming welfare, ensuring a life free from violence for women and girls and closing the gender pay gap. Her own position as Parliamentary Under-Secretary with exclusive responsibility for domestic and sexual violence issues was an entirely new portfolio, and its creation reflected the new Government's commitment to ending such violence. The Government had also given the positions of Minister for Climate Change and Minister for Women to members of the Green Party, thereby demonstrating the inextricable link between the changing climate and the well-being of women. Women from different ethnic backgrounds now held 38 per cent of parliamentary positions, including the post of Prime Minister, Governor-General and Chief Justice.
3. The new Government had also established a Crown-Māori relations portfolio to foster a healthier and more active relationship between the Crown and Māori and improve the Government's response to Māori issues. Reflecting its commitment to developing Māori centric models of service, it had designed a risk and needs assessment model in partnership with Māori and had increased the number of government-funded services for Māori. In 2019, it would deliver a well-being budget through which it would report progress on a range of measures related to health, the environment and the community.
4. Poverty and severe poverty afflicted over 200,000 mothers and their children in New Zealand. To address that situation and increase political accountability for hardship, a bill to reduce child poverty had been drafted and was currently before Parliament. The Government also planned to overhaul the current welfare system, which trapped many families in poverty, in order to ensure that it was accessible and fair for all. A Welfare Expert Advisory Group, composed of members from diverse backgrounds and vulnerable groups, had been established to support the reform process.
5. Family and sexual violence were linked to many of the most destructive and intractable social issues facing New Zealand. Current data showed that a third of women experienced domestic partner violence in their lifetime; that women were more likely than men to be killed; and that women from vulnerable groups not only experienced higher rates of violence but were also more likely to be retraumatized by the current national systems. The needs of victims were not being met owing to a lack of resources and a fragmented response system. Work had begun to transform the system, focusing on primary prevention, early intervention, integrated responses and new approaches to service delivery. A dedicated body had been established to lead a whole-of-government response and provide a single point of accountability for ensuring that the prevention and response system was delivering effectively. Funding for frontline support services for women victims of violence had been increased by NZ\$ 76 million and work was under way to ensure that women victims of abuse were not revictimized during reporting and prosecution procedures. The Government also recognized the importance of engaging men and boys as strategic partners in the elimination of gender-based violence.
6. The downtrend in the gender pay gap had stalled over the past decade. As of September 2017, the gap was 9.4 per cent, but was significantly higher for Māori and Pacific women, at 18 and 21 per cent respectively. Efforts to eliminate the gap were currently focused on the core public service and ensuring that the wider public and private

sectors were taking steps in the same direction. An evidence bank of information on the gender pay gap was being built up that included analysis of its causes throughout the career and life cycles of women and girls. In addition, the Government had committed to raising the minimum wage by a third — to NZ\$ 20 an hour — by 2021.

7. In 2014 the Court of Appeal had issued a landmark decision providing a new interpretation of the Equal Pay Act 1972. A pay settlement reached in 2017 in implementation of that decision had resulted in a pay rise for thousands of care and support workers and an extension to that settlement, announced in June 2018, would also increase the pay of mental health and addiction support workers, the majority of whom were women. The principles to guide pay equity settlements had been developed by the tripartite Joint Working Group on Pay Equity Principles composed of government, employer, employee and union representatives. A suite of amendments to employment relations legislation would ensure greater fairness in the workplace by increasing protection for workers and strengthening the role of collective bargaining.

8. The Government was committed to the advancement of gender equality and the empowerment of all women and girls in the country and sought to address the challenges with vigour, in partnership with communities.

Articles 1 to 6

9. **Ms. Halperin-Kaddari**, commending the State party for the example it provided in women's political leadership and paying homage to Silvia Cartwright, whose work on the Optional Protocol and general recommendation No. 21 was greatly appreciated, said that the Government needed to be wary of the growing use of gender-neutral language in policies and laws. In efforts to mainstream gender, gender-related specificities and the reality of gender discrimination were, paradoxically, being lost. With that situation in mind, she asked whether the Government would consider amending section 21 (1) (a) of the Human Rights Act 1993 to include gender identity, gender expression and sex characteristics, as well as migrant status, among the prohibited grounds for discrimination listed. She wondered whether the Government planned to adopt a new comprehensive national action plan for women, given that the previous plan had expired in 2009; whether, in view of the decrease in the number of full-time staff on the Human Rights Commission, it would consider increasing the Commission's funding; why it had not provided funding to enable non-governmental organizations (NGOs) to attend the meeting with the Committee, as it had on previous occasions; and whether it would consider offering such funding in the future. More detailed information on the invocation of the Convention in court and on efforts to raise awareness of the Convention in general would be useful.

10. **Ms. Hayashi** asked whether, through the National Action Plan on Women, Peace and Security, a gender perspective had been integrated into foreign policies; whether any human resources had been allocated for implementation of the National Action Plan; and to what extent women's organizations had been consulted during the Plan's drafting. She would also like to know what percentage of gross national income was spent on official development assistance and what proportion of that assistance was targeted at gender equality programmes.

11. **Ms. Logie** (New Zealand) said she agreed that it was essential to maintain gender-specific language in efforts to address violence and discrimination against women and to recognize that the causes of violence were primarily rooted in gender inequality. The Government had put in place mechanisms to assess the gender impact of new legislation.

12. **Mr. Michael Gill** (New Zealand) said that government departments were required to prepare disclosure statements when submitting bills or supplementary order papers setting out proposed legislative amendments in order to ensure that legislation was consistent with international human rights obligations, which had implications for around 70 per cent of public laws.

13. **Ms. Logie** (New Zealand) said that complainants were required to exhaust domestic remedies before they had recourse to international instruments such as the Optional Protocol. In New Zealand, such remedies included proceedings before the Human Rights Commission and the Human Rights Review Tribunal, and judicial reviews. In the wake of a

dramatic increase in cases submitted to the Human Rights Review Tribunal, two bills had been presented to Parliament that set out options for reducing the resultant backlog. Given the challenges that could complicate access to justice and legal aid, the judicial review process might not be accessible for all people. Māori women could also seek redress before the Waitangi Tribunal which was due to hear a claim, related to the status of Māori women in the near future.

14. **Ms. Graham** (New Zealand) said that while there was no comprehensive national action plan for women at present, specific action plans had been developed to increase the number of women on public sector boards, reduce the pay gap in the public service, and address the increasing number of women being held in corrections facilities and the standard of the services they received. To raise public awareness of the Convention, the Government interacted with NGOs and civil society in various ways, including by participating in the International Women's Caucus. Although funding had not been provided to enable NGOs to attend the present meeting, the Government had provided a streaming service through which civil society organizations could submit statements.

15. **Ms. Dempster** (New Zealand) said that the Government had announced that the budget for overseas development assistance and humanitarian assistance would be increased to around NZ\$ 714 million over the next four years. Gender-related issues were central to its development assistance programmes and 57 per cent of its current bilateral aid expenditure was allocated to activities focusing on gender equality and related issues. There had also been an increase in the level of humanitarian assistance provided by New Zealand, which distributed, inter alia, basic dignity kits for women and girls. Development assistance programmes, particularly in the Pacific and South-East Asia region, were being reviewed to ensure that appropriate training with a gender perspective was provided for all stakeholders in that region. The National Action Plan on Women, Peace and Security had been subject to consultations with all stakeholders.

16. **Ms. Logie** (New Zealand) said that the Government would take into account the Committee's recommendations concerning the incorporation of a gender perspective into the Human Rights Act 1993. The rights of women migrant workers had already been incorporated into various pieces of legislation, taking account of the multiple discrimination faced by such women. While recognizing the pressure on resources facing the Human Rights Commission, the Government was not currently able to increase the budget allocated to it.

17. **Ms. Halperin-Kaddari** asked what steps had been taken to address the gaps in sex disaggregated data, specifically in relation to the attainment of the Sustainable Development Goals. She would be grateful for further information on the status of the bill designed to monitor the compatibility of new legislation with the New Zealand Bill of Rights Act and the State party's international human rights treaty obligations. It would be particularly interesting to hear what measures would be adopted to ensure that future bills included a gender impact statement and to enable courts to repeal laws incompatible with international human rights conventions and other human rights instruments.

18. **Ms. Rana** asked how many women had been deployed in senior positions in the police force or military since the adoption of the National Action Plan on Women, Peace and Security. She also wondered whether the Government had introduced specific programmes to support international efforts aimed at increasing women's participation in peace negotiations and peacebuilding operations, particularly in fragile countries.

19. **Ms. Dempster** (New Zealand) said that the Government had established an inter-agency task force on women, peace and security and actively promoted women's participation in peace and security affairs. Data on the number of women deployed in senior positions in the police force or military would be provided in writing at a later date. New Zealand women diplomats had been heavily involved in peacebuilding operations at the international level. A national programme to support international efforts aimed at increasing women's participation in peace negotiations and peacebuilding operations had, however, not yet been established.

20. **Ms. Logie** (New Zealand) said that, in addition to gender impact statements, the Government had adopted a mechanism requiring bills to include a disclosure statement.

There were, however, no plans to offer the courts the option of repealing legislation incompatible with the New Zealand Bill of Rights Act or international human rights treaties. They had instead been granted the ability to issue declarations of inconsistency in cases where existing laws contradicted or failed to uphold fundamental human rights. Those declarations were subsequently transmitted to the Parliament for corrective action.

21. **Mr. Gill** (New Zealand) said that the declarations of inconsistency mechanism would strengthen the feedback cycle between the courts and the Government and would ensure that the country upheld its international human rights treaty obligations. The process would commence in earnest following the conclusion of the Supreme Court's consideration of the *Taylor v. Attorney General* case.

22. **Ms. Logie** (New Zealand) said that further information on that matter would be provided to the Committee in writing. The Government recognized the importance of sex disaggregated data to effective decision- and policymaking and remained committed to closely monitoring the progress made on the 2030 Agenda, particularly Sustainable Development Goal 5. As New Zealand was a small country, the collection of data would, however, need to be carefully monitored to avoid breaching confidentiality.

23. **Ms. Haidar** asked whether the Government intended to collect and analyse data on areas not directly linked to Sustainable Development Goal 5, such as climate change, which also directly affected women's rights, and whether the Ministry for Women would take charge of monitoring and ensuring the quality of data in that area.

24. **Ms. Logie** (New Zealand) said that the Government remained conscious of the need to strike the right balance between quality and quantity of data. Civil society organizations had criticized past approaches to data collection, which had deterred persons from accessing certain services owing to confidentiality concerns. The Ministry for Women had actively participated in government attempts to address those data-collection issues and would continue to play a lead role in ensuring that discussions relating to national data collection and analysis included a gender perspective.

25. **Ms. Graham** (New Zealand) said that the Government had introduced a wide range of indicators to monitor progress towards the attainment of the Sustainable Development Goals and that the Ministry for Women had taken the requisite steps to ensure the collection of sex disaggregated data across all sectors. Efforts to strengthen the collection and analysis of national data were ongoing and would remain a high priority.

26. **Ms. Logie** (New Zealand) said that concerted efforts had been made to analyse and monitor the impact of climate change on women and to adopt a gender perspective in respective policymaking decisions.

27. **Ms. Eghobamien-Mshelia**, welcoming the introduction of the interactive digital tool to raise awareness of the Convention, asked what steps had been taken to ensure that women of all backgrounds had the level of digital literacy required to access it. In the absence of a national gender action plan, she wished to know how gender equality priorities had been set, implemented, monitored and reviewed, and what measures had been taken to ensure that activities to promote women's rights received appropriate funding. In that context, it would be interesting to know whether the Ministry for Women had sufficient financial, human and material resources to discharge its mandate and undertake the necessary analysis and review of gender inequalities across all sectors. Further information on the standards used to regulate and monitor women-focused service providers and the role played by the Ministry for Women in regulating and granting licences to those groups would also be welcome. She wondered what guidelines had been established to promote and facilitate gender mainstreaming and what indicators had been set to benchmark performance and progress towards gender targets.

28. **Ms. Logie** (New Zealand) said that digital literacy formed part of the national curriculum and the vast majority of the population used the Internet on a regular basis. The interactive digital tool not only promoted the Convention but also encouraged conversations about human rights in communities throughout the country. Its implementation and use had been facilitated and supported by a wide range of civil society organizations.

29. **Ms. Graham** (New Zealand) said that the Ministry for Women, in coordination with other Government departments and relevant stakeholders, set gender targets at the beginning of each year. Those targets formed part of the overarching national gender priorities, which had a long-term focus and were implemented in partnership with other agencies and relevant institutions. The 2018 targets focused on increasing the number of women on State sector boards and addressing the gender pay gap. The Ministry reported to the Parliament on an annual basis and conducted regular stakeholder surveys to monitor the impact and usefulness of its work and to assess the extent to which its policy documents and guidelines had been effective. The Ministry was responsible for devising policy, but did not have the resources to regulate women-focused service providers.

30. **Ms. Logie** (New Zealand) said that the Human Rights Commission would monitor and report on the progress made towards the gender priorities and the implementation of the Committee's recommendations. The National Council of Women of New Zealand had also devised a monitoring mechanism to support that work. The Ministry of Social Development was tasked with setting standards for NGOs, and the Ministry of Justice and other government funding agencies were responsible for regulating those groups. The monitoring of family violence, which had previously been conducted by the Ministerial Group on Family Violence and Sexual Violence, would in future form part of the Social Well-being Committee's portfolio.

31. **Ms. Eghobamien-Mshelia**, noting the importance of regulating women-focused service providers to the achievement of gender targets, asked whether the State party would consider allocating additional resources to the Ministry for Women so that it could undertake such work in future.

32. **Ms. Nadaraia**, recalling the Committee's previous recommendation urging the State party to adopt affirmative action measures to accelerate the attainment of gender equality, said that she would like clarification of the State party's approach to temporary special measures in both the public and private sectors.

33. **Ms. Logie** (New Zealand) said that the Government made judicious use of temporary special measures to galvanize action towards attaining *de jure* and *de facto* gender equality. For example, it had recently introduced a 50 per cent quota for women on State sector boards, supported by a number of strategic efforts.

34. **Ms. Halperin-Kaddari** said that she would like clarification of the strategic efforts that would be undertaken to achieve the 50 per cent quota.

35. **Ms. Graham** (New Zealand) said that the current representation of women on State sector boards and committees was 45.7 per cent, which was the highest figure so far attained. Around 2,500 board appointments were made annually. Concerted efforts by the Government and the appointing agencies were needed to achieve parity, as the latter were distributed throughout the public service and were not all located in the Ministry for Women. An action plan had been adopted that focused on three areas: increasing accountability, with all ministers aware of the goal of gender parity in appointments; raising the calibre of women candidates for board appointments; and ensuring that greater numbers of women were available for appointments.

36. **Ms. Logie** (New Zealand) said she wished to underscore that the pay settlements introduced since the 2014 Court of Appeal decision were not considered part of its affirmative action efforts; the Government saw equal pay for work of equal value as a fundamental human and legal right, and not a temporary special measure.

37. **Ms. Acar**, noting the very high prevalence of domestic violence in the State party, said that, at the same time, at 20 per cent for domestic violence and 9 per cent for sexual violence, reporting rates were worryingly low. Māori women and women with disabilities were more likely to suffer such violence and recidivism was alarmingly high in a country that positioned itself as a trail-blazer in gender equality. It was regrettable also that the periodic report contained little information on violence against women outside the family, as that lacuna suggested a limited understanding of gender-based violence as a continuum, and of the connection between such violence and gender inequality. Systematic,

comprehensive, sustained and coordinated efforts by the Government were required to combat such violence.

38. In its submissions, the State party appeared to confuse related terminology. The various documents referred to "family violence", "intimate partner violence" and, in particular, "family harm", *inter alia*. Use of the word "harm" risked diminishing the offence, which was a human rights violation, and such terminology should be avoided. There was also a lack of connected and holistic data on gender-based violence in the report: it appeared that various agencies collected and recorded data but there was no central agency to integrate those data and provide a complete picture of gender-based violence in New Zealand. The New Zealand Family Violence Clearinghouse had previously provided that service but its funding had recently been cut. Information on how the Government intended to fill the gap and ensure the availability of appropriate disaggregated data would therefore be appreciated.

39. With regard to responses and support services, she noted that, owing to insufficient liaison between police and judiciary, it appeared to be possible for a judge to issue a protection order for a complainant without knowing whether a police safety order had already been issued, and, if so, whether the order had been breached. She suggested that the State party should review that situation, as it could have a bearing on recidivism rates.

40. She would appreciate the delegation's comments on the worrying fact that 54 per cent of cases of sexual assaults recorded by the police were apparently marked "offender could not be identified". Could that situation be a reflection of inadequate police training? Similarly, she would welcome its comments on that fact that national legislation on female genital mutilation covered only the most extreme forms of mutilation and was therefore in need of review. Lastly, noting that stereotypical images continued to be promoted in the media, and that the situation had worsened in recent years despite the Committee's recommendation that the State party should mount a national campaign against stereotypes (CEDAW/C/NZL/CO/7, para. 22), she invited the State party to provide more information about its plans to address that problem.

41. **Ms. Bethel**, noting that the opening statement had made no reference to trafficking in women and girls, asked whether the State party considered sufficient action to have been taken to prevent such trafficking. She had a number of continuing concerns about its legislation on trafficking: for example, she wished to know whether the Government intended to remove the possibility of a fine alone being imposed as a sentence for trafficking offences and whether it would amend the definition of sex trafficking of children as not requiring the use of deception or coercion. She also wished to know what efforts it was making to identify child victims of sex trafficking, and whether it had reviewed section 19 of the Prostitution Reform Act 2003 to assess its negative consequences for migrant sex workers. She would likewise be grateful for an update on the status of the Plan of Action to Prevent People Trafficking, and details of any specific challenges faced and the timeline for implementation. She would particularly like to know whether the recommendations issued by the Human Trafficking Research Coalition in 2016 would be integrated into the plan.

42. She would like to know whether a mechanism was in place to ensure the coordination and smooth functioning of the 12 agencies responding to trafficking concerns that comprised the inter-agency working group; what tangible results had been achieved as a result of the State party's engagement with the Bali Process Government and Business Forum; how the Government planned to increase awareness of human trafficking among vulnerable populations such as Māori, indigenous peoples and migrant women, and among the public in general; and whether the State party had enlisted the help of NGOs in awareness-raising and allocated the requisite resources. She would be grateful for information on the challenges faced in the area of victim protection, on the formal procedures developed to facilitate the identification of trafficking victims, including migrant women and girls and mail order and Internet brides in particular. What formal referral mechanisms were used to ensure that victims could access assistance services, health care, psychological support and shelter, including through enhanced partnerships with NGOs? And did the State party use specialized law enforcement officers and service providers to screen potential victims so as to ensure that they were not penalized for unlawful acts committed as a direct result of trafficking?

43. She would be grateful for information on any relevant training provided to law enforcement officials, investigators, prosecutors and other members of the judiciary involved in trafficking and sex work cases. An update on the nature and extent of trafficking for sex exploitation purposes, including the number of investigations conducted, prosecutions brought and convictions secured, and details of the institutions responsible for identifying and collecting disaggregated data on victims and the obstacles to the collection of such data, would likewise be helpful. Lastly, she asked whether the Government was considering re-establishing exit programmes for sex workers.

44. **Ms. Logie** (New Zealand) said that the Government was very concerned about the low reporting rates for gender-based violence and the high rates of recidivism. Its efforts were currently focused on prevention, early intervention and rehabilitation, by providing support to those who wished to change their behaviour. Funding had been set aside for the establishment of a central agency to act as a coordinating mechanism and prevent overlap between the numerous ministries and bodies concerned. Abuse was mostly disclosed to friends, family and colleagues at work and, hitherto, insufficient resources had been spent on devising measures to help confidants to know how to respond. That omission would be addressed with the change of focus and Parliament would shortly be passing legislation that would introduce workplace protection for victims of violence that permitted them to take up to 10 days' leave to deal with the attendant trauma, without losing employment or income. A capacity-building programme had been initiated for 2000 employees of the Ministry of Justice and would subsequently be extended to all government workers. Other new legislation would establish family violence agencies across government, would provide the courts with clearer guidance on issues of collusion and control, and would introduce definitions for a number of specific violent offences. Past governments had endeavoured to extend the focus beyond gender-based domestic violence to include violence outside the family, often in response to shifting public opinion and influenced by particular stories in the media, but had thus far been unable to find a unified, comprehensive and sustainable response to all forms of violence against women in all environments. A primary goal of the present Government was to find a comprehensive response that could be sustained through changes of governments and shifts in public and political opinion.

45. A 10-year police monitoring programme designed, *inter alia*, to identify any unmet training needs among officers who dealt with victims of sexual violence had been initiated in 2007. The programme had revealed significant progress but much work remained to be done. Although the number of cases marked "no offence" by the police had been reduced by half, there had been no corresponding increase in the number of cases going to court. The Government could not at present explain that phenomenon. Use of the term "family harm" had been adopted by the police to facilitate decision-making on arrival at a scene of domestic violence, when it was often difficult to ascertain the existence of collusion, control or an ongoing pattern of violence. However, concerns about the term's use had already been expressed in New Zealand and the Government would be attentive to the Committee's observations. Upcoming reforms of family violence legislation would address the shortcomings in the Government's data-collection system. The central agency would also address that issue, as well as the issue of stereotypes, when developing its prevention strategy.

46. **Ms. Graham** (New Zealand) said that the Government used the media as a means to advance gender equality and women's empowerment, specifically by highlighting positive stories about women's achievements. NGOs also took part in such activities. 2018 marked the 125th anniversary of women's suffrage in New Zealand and the Government had provided funding to allow communities to celebrate that occasion and, at the same time, improve awareness of women's rights.

47. **Ms. Logie** (New Zealand) said that funding for the Family Violence Clearinghouse had remained stable and had not been reduced. However, the Government's increased efforts to prevent sexual violence through early intervention needed to be culturally specific and intersectional. The response should be led by Māori, not because such violence was concentrated within Māori communities, but because those communities had produced valuable responses to issues that the Government wished to incorporate in its policies.

48. **Ms. Hippolite** (New Zealand) said that the police force worked with communities to address unacceptable patterns of behaviour and identify ways to prevent them. A family-centred approach had also been trialled and had been found to be successful. Under that approach, the aim was to encourage persons who could build trust and confidence in both perpetrators and victims to find a path towards growth and development. The involvement of wider family members had also been found to be beneficial in a third approach, under which family members were encouraged to speak out against the unacceptable behaviour and stress that it must stop. In each instance, support was provided initially for the woman, and subsequently for the man. Such approaches called on families to come up with solutions themselves, although an independent mediator was always present to help the persons involved to confront their own behaviour.

49. **Ms. Logie** (New Zealand) said that the Prostitution Law Review Committee had identified various factors that diminished the appeal of exit programmes for sex workers, the main ones being the loss of income, flexible working hours and a sense of belonging. The Government did not therefore intend to fund such programmes at present. However, a welfare system for the sex industry had been established under which workers could receive income protection if they wished to leave. The Government did not conflate trafficking with prostitution.

50. **Ms. Cowey** (New Zealand) said that the new Government was about to review its migrant exploitation prevention strategy, particularly in view of the number of international students involved in sex work trafficking, and that the Committee's observations would be of great use in fixing the scope and content of that review. The views of migrants themselves would also be canvassed. Since December 2015, there had been two prosecutions for trafficking and one person had been convicted on 15 counts of trafficking. Currently, one case was under investigation and another was pending trial. Of the 39 known victims of trafficking, 33 had been men and 6 had been women. One of the women had been a minor and had been sexually exploited. A range of services was provided to victims of trafficking, including interpretation, social and financial assistance, accommodation, health care and legal support, including assistance in obtaining compensation. Details of the Government's engagement in the Bali Process would be supplied in writing after the meeting. The prostitutes' collective had already given its opinion on section 19 of the Prostitution Reform Act 2003 and the delegation would welcome the Committee's advice in advance of the forthcoming review.

51. **Ms. Logie** (New Zealand) said that implementation of the 2003 Prostitution Reform Act, which had legalized prostitution, had improved health and safety, employment conditions, collective bargaining rights and the ease of reporting sex offences for sex workers as all issues had been brought under the general regulatory regime. The numbers of sex workers had not increased as a result of the legalization. The sector was small and competitive, which prevented the proliferation of trafficking for prostitution purposes.

52. **Ms. Acar** said she was concerned that using the term "family harm" shifted the emphasis away from the violation of women's rights to protection of the family institution. The culturally sensitive programme to tackle gender-based violence in Māori communities was an interesting model. However, the State party should ensure that such programmes were not at variance with its international obligations. For instance, the use of mediation in cases of domestic violence was not recommended. The State party might find it useful to refer to the Committee's general recommendation No. 35, on gender-based violence against women, updating general recommendation No. 19. Another valuable resource was the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), which was the most comprehensive legally binding treaty on the subject and was open to non-members of the Council of Europe, but could also be used simply as a guideline for best practice.

53. **Ms. Bethel** said there were concerns that section 19 of the Prostitution Reform Act discriminated against migrant sex workers, placed them in a situation of vulnerability and increased their risk of being exploited. She wished to know whether the Government intended to repeal that section, as recommended by NGOs and the New Zealand Human Rights Commission. In addition, she wondered whether the State party had considered establishing a mechanism to tackle illicit financial flows, which were often connected to the

illegal activities of modern slavery and human trafficking; why the Plan of Action to Prevent People Trafficking had not been updated since 2009; and what training was provided to prosecutors to ensure that they were fully abreast of the anti-trafficking legislation.

54. **Ms. Gbedemah** said it had come to the Committee's attention that foreign students had been deported under section 19 of the Prostitution Reform Act without being able to complete their studies, leading to lasting stigmatization and a derailing of their hopes for the future. She therefore urged the State party to assess the discriminatory provisions and legal processes associated with the Act promptly.

55. **Ms. Halperin-Kaddari** said that she appreciated the frankness of the delegation's replies, which demonstrated that the Government was acutely aware of the shocking incidence of gender-based violence. Since divergent approaches to dealing with the issue had been taken by successive governments over the past two decades, she wished to know what set the current approach apart; what was being done to foster cross-party agreement in order to create a coherent and consistent way forward; what training was provided to the judiciary on the Convention and on gender-based and family violence; and whether the State party had considered inviting the Special Rapporteur on violence against women, its causes and consequences to visit the country. Lastly, she would be interested to know why the country had such low prosecution and conviction rates for cases of human trafficking.

56. **Ms. Logie** (New Zealand) said that the figures on domestic violence were, admittedly, shocking. However, New Zealand was by no means the worst of the member States of the Organization for Economic Co-operation and Development. In view of the fact that general elections were held every three years, the Government was keen to establish a cross-party approach to ending gender-based violence. While some of the work currently being undertaken had been initiated by the previous administration, the Government had reached out to members of the opposition to discuss ways of making combating gender-based violence a parliamentary responsibility. One suggestion was to involve members of parliament in awareness-raising campaigns carried out in their local constituencies. In so doing, training on gender-based, family and sexual violence could be provided, thus ensuring that all parliamentarians had an understanding of the different forms of violence and the terminology used. Regarding the Prostitution Reform Act, any repeal of section 19 would require cross-party political will. There was a danger that, in reopening the debate on such legislation, there would be a regressive outcome. Any recommendations that the Committee could provide in that regard would therefore be welcome.

57. **Ms. Logie** (New Zealand) said that New Zealand had extended an open invitation to the special procedures mandate holders of the United Nations. In fact, provided that the timings could be worked out, a visit from the Special Rapporteur on violence against women might be timely, since the Ministry of Justice was about to launch a review of changes that were made to the family court system in 2014. Civil society had raised concerns that cost-saving measures had been prioritized over the safety of women and children, thus prompting the forthcoming review.

58. **Mr. Gill** (New Zealand) said that protection orders and police safety orders were just two of the tools available for dealing with gender-based violence. In the event that a police safety order was breached, the police could file a complaint with the courts, which, in turn, could issue a temporary protection order. Admittedly, no single agency or body had overall oversight of the system; thus, it was somewhat fragmented. More needed to be done to improve the flow of information and ensure a more joined-up response. Among other aspects, the bill on family violence aimed to improve information sharing among those working in the field of family violence.

59. The Institute of Judicial Studies was an entirely independent body with responsibility for organizing and providing judicial education and professional development opportunities while maintaining the independence of the judiciary from the executive branch. Its role included raising awareness of new developments in the law. In the light of the bill on family violence and the upcoming review of the family court reforms, the Institute would receive additional funding to enable it to provide education on related issues.

60. **Ms. Logie** (New Zealand) said that, while New Zealand did not typically sign conventions of the European Union, it was certainly keen to learn from international best practice. Answers to the remaining questions posed, such as those regarding illicit financial flows, would be provided in writing.

61. **Ms. Halperin-Kaddari** said that, since New Zealand was composed of a number of different ethnic minorities, she wished to know what steps the Government had taken, or planned to take, to develop culturally sensitive programmes that took their needs into account.

62. **Ms. Logie** (New Zealand) said that the Government was acutely aware that a one-size-fits-all approach was not appropriate in a multicultural country such as New Zealand. It was therefore committed to working with the different communities and with their representative organizations, such as the Shakti Community Council, which represented ethnic migrant women, in order to understand their specific situation and coordinate an appropriate response. In a similar vein, the Government was aware that barriers prevented women with disabilities from gaining access to justice. It acknowledged that measures to end gender-based violence would come to nothing if it did not listen to and work with all the affected groups and involve them in co-designing appropriate responses.

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63. **Ms. Nadaraia** said that, while women occupied leading roles in Government and represented around 60 per cent of public officials, they occupied just 40 per cent of posts on statutory boards and 20 per cent of senior management positions. The situation was considerably worse in the private sector, where there had been a marked decline in the number of women in senior roles since 2004. In fact, women now held fewer than 20 per cent of senior and directorial roles in business. In view of such discouraging figures, she wished to know what measures the State party had introduced, or envisaged introducing, to halt the decline in women's leadership, while at the same time setting goals and establishing clear time frames for improving women's representation in business decision-making.

64. **Ms. Manalo** said that New Zealand had long been at the vanguard of women's rights. It had been the first country in the world to give women the vote and had several very accomplished women in prominent national and international leadership roles, including Dame Silvia Cartwright, a former member of the Committee. With that in mind, she wished to know how many New Zealand women were working at all levels of the United Nations system and in other international and regional organizations, such as the Organization for Economic Co-operation and Development and the International Court of Justice, and what measures the State party had taken to encourage women's greater representation in such bodies.

65. **Ms. Logie** (New Zealand) said that the figures provided by Ms. Nadaraia had made for grim listening indeed. However, promoting women's greater representation in leadership was one of the Government's top priorities, especially for private industry, which was lagging significantly behind the public sector.

66. **Ms. Graham** (New Zealand) said that, in the public sector, measures to promote women's leadership included the introduction of a gender-parity target for senior management roles and on statutory boards. In setting that target, the Government hoped to set the standard for the private sector to follow before setting specific goals to increase women's leadership in that domain.

67. **Ms. Dempster** (New Zealand) said that, while statistics on the numbers of women working in the multilateral system were not currently available, the Ministry of Foreign Affairs and Trade was looking at ways to actively encourage more women into jobs in the international organizations. A number of women currently held high profile positions within the United Nations system, including as the Under-Secretary-General for Management.

68. **Ms. Halperin-Kaddari** said that, although measures to improve women's representation in senior and leadership roles in the public sector were welcome, they failed

to tackle the gender gap in the private sector. She would welcome specific details on initiatives for private companies and wondered why the State party seemed to shy away from introducing temporary special measures, when they were exactly what was needed to reverse the negative trend.

69. **Ms. Logie** (New Zealand) said that the Government was certainly not unwilling to challenge the private sector on issues such as women's representation. Indeed, the Minister for Women was actively engaged with business leaders and had initiated robust and sometimes even controversial public conversations aimed at challenging men's traditional dominance in certain areas and highlighting the need for women and minority groups to be better represented.

70. **Ms. Graham** (New Zealand) said that a symposium with the private sector had recently been held to gather the views of stakeholders and involve private enterprise in the design of plans to boost women's representation on executive boards. Other initiatives included creating case studies on successful women as sources of inspiration for others. The recommendation to use temporary special measures was helpful and would be relayed to the Government, and every effort would be made to achieve further progress on the issue.

The meeting rose at 1 p.m.